

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

DAVID SCOTT HASTINGS,

Plaintiff,

v.

Case No: 2:18-cv-81-SPC-MRM

CITY FORT MYERS, DERRICK
DIGGS, STEPHEN B.
RUSSELL, NATALIE K.
SAVINO, NICOLAS MAMALIS,
ALESHA MOREL and TYLER
LOVEJOY,

Defendants.

ORDER¹

Before the Court is pro se Plaintiff David Hastings' Notice of Non-Receipt of Court Order DE #72 filed on April 1, 2021. ([Doc. 78](#)). Plaintiff, a prisoner at Avon Park Correctional Institution, says that he did not receive the Court's Order dated March 11, 2021 ([Doc. 72](#)), which denied his motion for the undersigned to recuse and granted in part and denied in part Defendants' motions to dismiss. Plaintiff now asks the Court to mail him another copy. In

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the meantime, and in an abundance of caution, Plaintiff has filed an interlocutory appeal. ([Doc. 79](#); [Doc. 80](#)).

The Court's records indicate that a copy of its Order was mailed to Plaintiff at his Avon Park Correctional Institute address on March 11. Nevertheless, the Court will direct the Clerk to send one more copy to Plaintiff.

Accordingly, it is now

ORDERED:

- (1) The Clerk is **DIRECTED** to mail pro se Plaintiff David Hastings a copy of its Order dated March 11, 2021 ([Doc. 72](#)) at his address of record.
- (2) Plaintiff must advise the Court on or before **May 12, 2021**, as to whether he wishes to continue the interlocutory appeal, and if yes, whether he wishes to stay this case pending that appeal.

DONE and **ORDERED** in Fort Myers, Florida this April 21, 2021.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record